IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 8296 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.P.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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NAV BHARAT LPG BOTTLING CO.

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 8296 of 2001

MR SK PATEL for Petitioner No. 1-3

MR AJ DESAI LD.ADDL.PUBLIC PROSECUTOR for Respondent No. 1

MR PS PATEL for Respondent No. 2

CORAM : MR.JUSTICE D.P.BUCH

Date of decision: 17/04/2002

ORAL JUDGEMENT

#. During the course of hearing the learned advocate for the petitioner states that he may be permitted to

withdraw the petition so far as the main relief is concerned. He also states that so far as the amended relief is concerned, the same relief is required to be granted to the applicant in view of the decision of the Hon'ble Supreme Court, in the matter of Bipin Shantilal Panchal vs. State of Gujarat, reported in 2001 (2)G.L.H. 545 Supreme Court, which shows that as and when dispute arises about the exhibition of a document, the said dispute should be kept alive and decision may be taken at the end with a view to avoid any further litigation in the middle of the trial. The learned advocate for contesting respondent also states that the said decision can be kept back in the interest of both the parties. Therefore, the petitioner is permitted to withdraw the petition so far as the first relief is concerned and, therefore, that part of the relief is concerned, the matter stands disposed of. So far as the amended relief about the exhibition of document is concerned, by consent, it is directed that the question as to exhibition of the document at Ex.61/4 before the trial Court shall be kept back and the said issue may be decided at the conclusion of the trial after giving reasonable opportunity to the parties to produce the evidence and to argue the matter on that aspect of the matter. With this observation, on the basis of the consent of the parties this petition stands disposed of. Rule is discharged to that extent so far as the first relief is concerned. The petition is partly allowed and rule is made absolute to that extent only so far as the amended relief about the exhibition of document is concerned.

(D. P. BUCH, J.)

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